### PATENT COOPERATION TREATY

# **PCT**

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P802770/WO/1		FOR FURTHER ACTIO	ON	See Form PCT/IPEA/416			
International application No.		International filing date (da	y/month/year)	Priority date (day/month/year)			
PCT/EP2004/006207		09.06.2004		14.06.2003			
International P	International Patent Classification (IPC) or national classification and IPC						
Applicant							
DAIMLE	RCHRYSLER AG						
	<ol> <li>This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</li> </ol>						
2. This	REPORT consists of a total of	5	sheets, including	g this cover sheet.			
3. This	report is also accompanied by Al	NNEXES, comprising:					
a. 2	(sent to the applicant and	to the International Bureau)	a total of 7	sheets, as follows:			
	121			mended and are the basis for this report and/or			
	sheets containing red Instructions).	curreations authorized by thi	s Authority (see Rul	le 70.16 and Section 607 of the Administrative			
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental						
	Box.						
ъ. [	(sent to the International	Bureau only) a total of (indic	ate type and number	r of electronic carrier(s))			
		· · · · · · · · · · · · · · · · · · ·		, containing a sequence listing and/or tables			
	related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).						
4. This	report contains indications relati	ng to the following items:					
	Box No. I Basis of the	report					
	Box No. II Priority						
	·	shment of opinion with regar	d to novelty, inventi	ive step and industrial applicability			
		ty of invention		·			
			with regard to novel	lty, inventive step or industrial applicability;			
	citations and explanations supporting such statement						
Box No. VI Certain documents cited							
	Box No. VII Certain defects in the international application						
	Box No. VIII Certain observations on the international application						
Date of submission of the demand D			of completion of thi	is report			
Name and mailing address of the IPEA/EP			orized officer				
Facsimile No.		Tele	phone No.				

Translation

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Box	No. I	Basis of the report					
1.		n regard to the language, this report is based on the internation ated under this item.	al application in the language in v	which it was filed, unless otherwise			
		This report is based on translations from the original language which is the language of a translation furnished for the purposition international search (Rule 12.3 and 23.1(b))		٠,			
		publication of the international application (Rule 12.4)					
		international preliminary examination (Rule 55.2 and/o					
2.	recei	n regard to the elements of the international application, this iving Office in response to an invitation under Article 14 are report):  the international application as originally filed/furnished the description:					
		pages <u>5-11</u>		as originally filed/furnished			
		pages* 1-4	received by this Authority on _	/filed with the demand			
		pages*	received by this Authority on				
	$\boxtimes$	the claims:					
		nos.		as originally filed/furnished			
		nos.*	as amended (together				
		nos.* <u>1-14</u>		/IIIed with the demand			
		nos.*	received by this Authority on _				
	M	the drawings:					
		sheets 1/4-4/4		as originally filed/furnished			
		sheets*	received by this Authority on	,			
		sheets*	received by this Authority on				
		a sequence listing and/or any related table(s) - see Supplement	ental Box Relating to Sequence Li	sting.			
3.		The amendments have resulted in the cancellation of:					
	_	the description, pages					
			the claims, nos.				
	_	any table(s) related to sequence listing (specify):					
4.	Ш	This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as file.					
		the description, pages					
		the claims, nos.	the claims, nos.				
		the drawings, sheets/figs	the drawings, sheets/figs				
		the sequence listing (specify):					
		any table(s) related to sequence listing (specify):					
*	If ite	em 4 applies, some or all of those sheets may be marked "supe	erseded."				

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Box	ox No. II Priority	_
1.	This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:	
	copy of the earlier application whose priority has been claimed (Rule 66.7(a)).	
	translation of the earlier application whose priority has been claimed (Rule 66.7(b)).	
2.	This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.	
3.	Additional observations, if necessary:	

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			nent under Article 35(2) with regard to novelty, inventive step or industrial applicability; planations supporting such statement		
1.	Statement				
	Novelty (	N)	Claims	1-14	YES
			Claims		NO
	Inventive	step (IS)	Claims	1-14	YES
			Claims		NO
	Industria	l applicability (IA)	Claims	1-14	YES
			Claims		NO
l					

- 2. Citations and explanations (Rule 70.7)
  - Claim 1 of the present application contains two linked or connected groups of features and therefore effectively presents two versions of the claim.

EP-A-1 310 577 (D1), which is considered to represent the prior art closest to the subject matter of claim 1, discloses (see figure 1) a radial plunger pump as per the preamble of claim 1 with a piston sole plate 103 which contacts a peripheral surface of a roller 200. Further, the surface of the piston sole plate 103a which contacts the peripheral surface of the roller is made of a wear-resistant hard metal (figure 12 and column 19, lines 7-15).

The first version of claim 1 differs therefrom in that the wear-resistant materials indicated in the claim are applied to the piston sole plate of the radial plunger pump in the form of insets. This makes possible a modular structure: that is, in each application a standardized piston sole plate can be provided with insets of a different

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

material. Such an inset is not known from the available prior art and no suggestion relevant thereto is provided.

The second version of claim 1, whereby the roller consists at least partially of the wear-resistant materials indicated in the claim, is likewise not suggested by D1, since this describes only the use of normal cast iron (column 19, lines 14-15).

Claims 2-14 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.